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Customer No. 22,852
Attorney Docket No. 06999.0009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Austin SMITH and Meng, LI) Group Art Unit: 1633
Serial No.: 09/686,880) Examiner: S. Cheng
Filed: October 12, 2000)
For: LINEAGE SPECIFIC CELLS AND)
PROGENITOR CELLS)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This is a response to a restriction requirement dated August 16, 2001. The date for filing this response has been extended by a concurrently filed Petition and fee to November 16, 2001. The Examiner has required restriction under 35 U.S.C. § 121 between Claims 42-54, 58, 64, and 65 directed to a method for generating a culture that is purified or enriched in neural progenitor cells (Group I); Claims 42-51, 55, and 58 directed to a method for generating a culture that is purified or enriched in cardiac progenitor cells (Group II); Claims 42-51 and 56-58 directed to a method for generating a culture that is purified or enriched in haematopoietic progenitor cells (Group III); Claims 42-51 and 58-60 directed to a method for generating a culture that is purified or enriched in ventral progenitor cells (Group IV); and Claims 61-63 drawn to an assay of the effect of a factor on a culture of progenitor cells of a selected lineage (Group V).

Applicants elect to prosecute Group I, claims 42-54, 58, 64, and 65 drawn to a method for generating a culture that is purified or enriched in neural progenitor cells. Applicants understand that upon allowance of the linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claims will be entitled to examination in the instant application.

Applicants believe that any extension of time required to submit this response is accounted for by the accompanying Petition and fees, however, in the event of an error, please grant any additional extension of time required to enter this response and charge any additional required fees to deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 15, 2001

By:


Leslie A. McDonell
Reg. No. 34,872